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सत्यमेव जयते

EXTRAORDINARY

PART I—Section 1

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No. 351] NEW DELHI, SATURDAY, AUGUST 16, 1952

ELECTION COMMISSION, INDIA

NOTIFICATIONS

New Delhi, the 14th August 1952

No. AS-P/52(9).—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the persons whose names and addresses are given below, as notified under notification No. AS-P/52(1) dated the 12th May, 1952, have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Samsun Nahar of Ward No. VI of Nowgong Town, P.O. Nowgong (Assam).

Shri Abdul Hai, Ward No. IV. Nowgong Town. (Assam).

No. OR-P/52(17).—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the persons whose names and addresses are given below, as notified under notification No. OR-P/52(3) dated the 28th April, 1952, have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Satyanarayan Lath of Sambalpur.

Shri Mahabir Lath C/o Shri Satyanarayan Lath, Sambalpur.

No. OR-P/52(18).—It is hereby notified for general information that the disqualifications under clause (c) of section 7 and section 143 of the Representation of the People Act, 1951 (XLIII of 1951), incurred by the persons whose names and addresses are given below, as notified under notification No. OR-P/52(4) dated the 28th April, 1952, have been removed by the Election Commission in exercise of the powers conferred on it by the said clause and section 144 of the said Act respectively:—

Shri Luxminarayan Mishra of Sambalpur.

Shri Braja Mohan Padhan of Bargarh, P.O./P.S. Bargarh.

Shri Siva Puruseth of Sambalpur

Shri Sevaram Agrawal of Bargarh, P.O./P.S. Bargarh.

P. N. SHINGHAL, Secy.

New Delhi, the 16th August 1952

No. 19/185/52-Elec.III.—Whereas the election of the persons named in column 1 of the Schedule below, as members of the House of the People, from the constituency specified in the corresponding entry in column 3 thereof, has been called in question by two election petitions duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951) by the persons whose names and addresses are given in the corresponding entries in column 2 of the said Schedule;

Now, therefore, in exercise of the powers conferred by sections 86, 87 and 88 of the said Act, the Election Commission hereby appoints Shri E. A. N. Mukarji, a retired District Judge of Punjab, to be the Chairman of the Election Tribunal constituted for the trial of the said petitions and further appoints Rewa as the place where the trial of the petitions shall be held:

SCHEDULE

Name of the person whose election has been called in question 1	Name and address of the persons by whom the election petition has been presented 2	Constituency 3
Shri Bhagwan Dutta Shastri.	<ol style="list-style-type: none"> 1. Shri Lal Gajmohan Singh, son of Shri Amol Singh, Elector No. 441 of Patwari Halka Waidhan, Supervisor Kanungo Circle, Gird, Tahsil Singrauli, District Sidhi; 2. Babu Dayal, son of Shri Dharamsi, Resident of Shahdol, Elector No. 301, Circle No. 1, Municipal Board Shahdol, District Shahdol; 3. Shri Ram Sunder, son of Shri Laloo Ram, Resident of Sohagpur, District Shahdol; Elector No. 1143 of Village and Tahsil Sohagpur, District Shahdol; and 4. Shri Jagdish Prasad, son of Shri Chhotoram, Resident of Sohagpur, District Shahdol, Elector No. 826, of Village and Tahsil Sohagpur, District Shahdol. 	Shahdol-Sidhi.
Shri Bhagwan Dutta Shastri and Shri Randaman Singh.	<ol style="list-style-type: none"> 1. Shri Tilaraj Singh, son of Shri Gulab Singh, Resident of Waidhan, District Sidhi, Elector No. 444, Patwari Halka, Waidhan, Supervisor Kanungo Circle, Gird, Tahsil Singrauli, District Sidhi; 2. Shri Bish-shar Singh, son of Shri Bhondu Singh, Resident of Bhagra Manla, Tahsil Bandhargarh, District, Shahdol, Elector No. 1, Bhagra Manla, Patwari Halka, Umaria, Supervisor Kanungo Circle Chandia, Tahsil Bandhargarh, District Shahdol; and 3. Shri Bhagwandas, son of Shri Dayal, Resident of Shahdol, Elector No. 508, Circle No. 1, Municipal Board, Shahdol, District Shahdol. 	

No. 19/308/52-Elec.III.—Whereas the election of the persons named in the Schedule below, as members of the Council of States by the elected members of the Vindhya Pradesh Legislative Assembly, has been called in question by an election petition duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951) by Shri Badrinarain Singh, son of Thakur Baldeo Singh, House No. 119, Ward No. 3, Shahdol, District Shahdol (Vindhya Pradesh);

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri E. A. N. Mukarji, a retired District Judge of Punjab, to be the Chairman of the Election Tribunal constituted for the trial of the said petition and further appoints Rewa as the place where the trial of the petition shall be held.

SCHEDULE

Names and addresses of the persons whose election has been called in question.

1. Shri Awadesh Pratap Singh, son of Shri Chandrashekhar Singh, Rampur House, Rewa;
2. Shri Baijnath Prasad Dube, son of Shri Jhagru Dube, Socialist Party Office, Ward No. 2, Mohalla Ghogar, Rewa;
3. Shri Banarsidas Chaturvedi, son of Shri Ganesh Lal Chaturvedi, Kundeshwar, Tikamgarh; and
4. Shri Gulsher Ahmed, son of Shri Shekh Wazir, P.O. Satna, District Satna.

Signature.

Ahmedabad, the 11th August 1952

In pursuance of the provisions of sub-section (1) of Section 90 of the Representation of the People Act, 1951, (Act XLIII of 1951), the following Election Petition presented under Section 81 thereof is published for information:—

ELECTION PETITION No. 68 of 1952.

Received by me the twenty fourth day of March 1952 by registered post.

ELECTION COMMISSION, INDIA,
24th March 1952.

(Sd.) P. S. SUBRAMANIAN,

Secy. Election Commission.

BEFORE THE ELECTION TRIBUNAL.

Petitioner.

Mehta Gordhandas Girdharlal C/o Socialist Party, Palanpur.

Versus

Respondents.

1. Chavda Akbar Dalumiyani, Kanazara, Deesa, Taluka Banas Kantha District.
2. Modi Mayachand Khemchand, Station Road, Palanpur.
3. Mehta Dahyalal Manilal, Amir Road, Palanpur.

In the matter of the Election Petition under Section 81 of the Representation of the People Act, 1951, against Shri Chavda Akbar Dalumiyani, the returned candidate to the House of the People from the Banas Kantha Constituency.

May it please Your Honours,

The humble petition of the Petitioner abovenamed respectfully sheweth:—

1. That the petitioner abovenamed, permanently residing at 25, Fulchand Nivas, Nowpaty Sea Face, Bombay 7, who contested the election to the House of the People, 1952, from the Banas Kantha Constituency, is aggrieved by the result of the said election on the grounds hereinafter following and seeks the reliefs from this Hon'ble Tribunal as set out herein.

2. That Shri Chavda Akbar Dalumiyani, Respondent No. 1 herein, who contested the said election on the ticket of the Congress Party is declared as the returned candidate to the House of the People from the said Banas Kantha Constituency, against whom this petition has been filed by the Petitioner herein.

3. That Shri Modi Mayachand Khemchand, Respondent No. 2 herein also contested the said election.

4. That Shri Mehta Dahyalal Manilal, Respondent No. 3 herein, had filed his nomination to contest the said election to the House of the People from the said Banas Kantha Constituency, but certain objections against his nomination were raised at the scrutiny and were upheld by the Returning Officer. But on the scrutiny being adjourned to 29th November 1951, Respondent No. 3 is said to have given notice of withdrawal of his candidature on 29th November 1951, before orders regarding his disqualification were passed in his case" as per the Returning Officer's letter dated 1st December 1951. The petitioner respectfully submits that as Respondent No. 3 was not a duly nominated candidate, he need not be made a party to this petition as required by law under Section 82 of the Representation of the People Act, 1951. The petitioner, however, respectfully urges upon this Hon'ble Tribunal to decide whether Respondent No. 3 herein should or

should not be made a party to this petition under the said Law. Copies of the correspondence and other relevant papers in this respect are annexed hereto and collectively marked "A" and the petitioner craves leave to refer to the original documents when produced at the trial thereof.

5. The Petitioner herein submits that Respondent No. 1 has failed within the time prescribed by Law to lodge with the Returning Officer his Return of Election Expenses in the proper form and containing the necessary particulars with all the vouchers in support of the items of expenditure incurred for his said election as required by law under Section 76 of the Representation of the People Act, 1951 and Rules 111, 112, 113 and 114 of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951, framed under the said Act, as also the provisions of Schedule IV and Form No. 26 under Rule 112 (2) of the said Rules, with particular reference to Para 2 and Note Nos. (2), (3) and (4) of the said Schedule. The Petitioner, therefore, respectfully urges upon this Hon'ble Tribunal to declare the said Return of Election Expenses of Respondent No. 1 as "false in material particulars" amounting to a corrupt practice under Section 124(4) of the said Act; to disqualify Respondent No. 1 for the said corrupt practice from being a member of the House of the People under Section 140 read with, *inter alia*, sections 124 (4) and 7(a) and (c) of the said Act and to declare that the election of Respondent No. 1 as the returned candidate is void and that the Petitioner has been duly elected in view of the fact that the Petitioner had in fact received a majority of the valid votes as between himself and Respondent No. 2 as per Annex. "B" hereto or, that, but for the votes obtained by the returned candidate by the said corrupt practice the Petitioner would have obtained a majority of the valid votes, as per the provisions of section 101 read with sections 81, 84, 7(a) and (c), 140 and 124 (4) of the said Act. Copies of the relevant correspondence and other papers in this connection are annexed hereto and collectively marked "C" and the petitioner craves leave to refer to the original documents and papers when produced.

6. In the case of rejection of the plea set out in para. 5 above by this Hon'ble Tribunal, the Petitioner begs leave to call in question the nomination of Respondent No. 1 and submits that on the grounds hereinafter following, his election should be declared void and the Petitioner should be declared as having been duly elected under Sections 81, 84(b) and 101 (a) of the said Act, the Petitioner having in fact received a majority of the valid votes as between himself and Respondent No. 2 herein as per the said annexure "B" hereto.

(i) That Respondent No. 1 was not qualified to be chosen to fill the seat of the House of the People under the Representation of the People Acts, 1950 and 1951, respectively, on 24th November 1951, the last date for filing nominations for the said election or on any other date thereafter for the purposes of the said election, on the following *inter alia* grounds:—

(a) The name of Shri Chavda Akbar Dalumiyan, Respondent No. 1 herein was not entered in the Electoral Rolls for the House of the People as finally published under section 24 of the Representation of the People Act, 1950.

(b) The alleged application of Respondent No. 1 for enrolment of his name subsequent to the publication of the said Final Election Rolls and the alleged revision of the said Rolls by the Election Commission under section 25(a) of the said Act, were not in order and were invalid and of no effect in Law, in view of the fact that the said application was not made as per the provision or Rule 20 of the Representation of the People (Preparation of Electoral Rolls) Rules, 1950, whereby the said application should have been made and presented to the Election Commission by Respondent No. 1 himself and such application should have been made before the date when the President of the Republic called upon the said Constituency to elect members of the House of the People from the Bombay State. These and other provisions obligatory on Respondent No. 1 under the said Representation of the People (Preparation of Electoral Rolls) Rules, 1950, were not strictly complied with.

(c) The Petitioner also calls in question the facts alleged to have been relied upon for purposes of the said enrolment on the basis of his being ordinarily resident in Kanazara in the Deesa Taluka of the Banas Kantha District at the "qualifying date" and before the "qualifying period" under Sections 19, 20 and 21 of the said Act of 1950 and sections 4 and 33 of the said Act of 1951. Objections to the above effect were taken at the scrutiny before the Returning Officer as also before the Election Commission and the Petitioner craves leave to rely upon the grounds taken therein and to refer to all relevant documents in this respect when produced before this Hon'ble Tribunal. Copies of the relevant papers available in this connection are annexed hereto and collectively marked "D".

(ii) That Respondent No. 1 was not qualified to be chosen to fill the seat of the House of the People under the Constitution and/or the Representation of the People Act, 1951, in view of his holding an office of profit in the "Sarvodaya", an institution under which the Sanali Ashram of Respondent No. 1 is being carried on and the Bombay State had then and continues to have financial interest for the purposes of the said election in terms of section 7(e) of the said Act.

7. In case this Hon'ble Tribunal is not inclined to grant the reliefs sought in the foregoing paras Nos. 5 and 6 the petitioner respectfully urges that this Hon'ble Tribunal be pleased to declare the said election of Respondent No. 1 to the House of the People from the Banas Kantha Constituency to be void and the Petitioner to have been duly elected or alternatively declare the said election to be wholly void under Section 98 of the said Act on the following *inter alia*, grounds:—

(a) That the said election of Respondent No. 1 has been procured, induced and/or the result of certain corrupt and/or illegal practice and/or certain electoral offences committed and set out hereinafter, whereby the said election has been materially affected to the prejudice of the Petitioner herein in terms of section 100(2) (a) of the said Act.

(b) That certain corrupt practices specified in section 125 of the said Act have been committed by certain persons with connivance of the returned candidate, Respondent No. 1 herein, as set out hereinafter, in terms of Section 100(2) (b) of the said Act, as per Exhibit "E" (collectively) annexed hereto.

(c) That the result of the said election has been materially affected by non-compliance with the provisions of the said Act and the Rules made thereunder in terms of Section 100 (2) (c) of the said Act as set out hereinafter.

8. The petitioner further submits that the said election has not been a free election by reason that the corrupt practice of undue influence has either extensively prevailed at the said election in terms of section 100(1)(a) of the said Act as per Annexure "A" and "E" (Collectively) hereto, or that, it has been exercised as a major corrupt practice under section 123(2) and 100(2)(b) of the said Act, as set out hereinafter in Annexure "E" as well as "F" and "G" hereafter following. The petitioner craves leave to refer to the local weekly "Lokwan" the fortnightly "Banaskantha" and the Congress Weekly "Azad Bharat" and other relevant documents and papers in this respect at the trial of this petition.

9. Certain other persons acting under the Government of the Bombay State, such as Secret Police known as the L.I.B., Chaukidars, Talatis, Patels or Patils or Village Headmen, as per the said annexure "E" and "F" also rendered assistance to Respondent No. 1 by other than the giving of vote to him, with the connivance of Respondent No. 1 for the furtherance of his prospects at the said election and in contravention of the provisions of Section 123(8) read with Explanation (b) of the said Act.

10. The major corrupt practice of undue influence under Section 123(2) of the said Act has also been exercised on certain persons with the connivance of Respondent No. 1, amounting to interference or an attempt to interfere with the free exercise of the electoral right as per the particulars collectively annexed hereto and marked "G".

11. The said election has not been a free election by reason that intimidation has been resorted to on the voters of the Abu Road Taluka so that they may not vote at all. Thus, an overwhelmingly large number of them to the extent of about 92 per cent of the total number of voters did, in fact, desist from even going to the polls to cast their votes on the day of the election on 3rd of January 1952. Particulars and exhibits as to the relevant facts in this connection are set out in annexure "H" (collectively) hereto.

12. The said facts as per annexure "H" above also amount to a major corrupt practice within the terms of section 123 (2) Proviso (a)(i) of the said Act.

13. The said facts as per annexure "H" above further amount to minor corrupt practice within the terms of section 124 (5) of the said Act.

14. The publication of the circulars issued by Shri Jagannath Upadhyaya, Secretary, Congress Committee, Abu Road, referred to in the said annexure "H" above amounts to illegal practice under section 125(1) of the said Act. The same was purported to promote or procure the election of Respondent No. 1, with his connivance or even otherwise.

15. The pamphlet dated 18th December 1951, among others annexed hereto as per annexure "H" above, was got printed and widely circulated among the voters of the Abu Road Taluka under the signature of Jagannath Upadhyaya, describing himself as the Deputy Secretary, Congress Committee, Abu Road. It does not bear on its face the name and address of the printer and publisher and as such amounts to an illegal practice under section 125(3) of the said Act. The failure on the part of the Inspector of the Police, Abu Road, to take any action against the offender, despite a request made to him in writing to do so, aggravated the offence further with considerable effect on the said election itself resulting in better prospects for Respondent No. 1 and to the great prejudice of the Petitioner herein.

16. The petitioner urges that this Hon'ble Tribunal may be pleased to treat any one or more of the foregoing major corrupt practice or practices not proved to be so to its satisfaction, as minor corrupt practice or practices respectively against Respondent No. 1 herein under Section 124(1) of the said Act.

17. Several illegal practices and electoral offences under the Representation of the People Act, 1951, violating the principle of secrecy of voting as per particulars annexed hereto and marked "I"—(collectively) were also committed during the election days on January 3, 7 and 11, 1952 respectively, when the election for the House of the People took place in four different divisions of the said Banas Kanth Constituencies. These illegal practices and electoral offences greatly prejudiced the interests of the petitioner and provided ample scope for malpractices being committed for the better prospects of Respondent No. 1 herein, particularly in the absence of the Petitioner's Polling Agents inside various Polling Booths.

18. For the foregoing and other reasons, the Petitioner respectfully prays that this Hon'ble Tribunal may be pleased to declare and/or decide as under:

(a) That the said election of Respondent No. 1 herein to be void and that the Petitioner herein has been duly elected, or,

alternatively,

(b) That the said election is wholly void,

and

(c) That Respondent No. 1 shall pay the entire costs of this petition to the Petitioner; or

alternatively,

(d) That such other order may be made in this respect as this Hon'ble Tribunal may think proper in equity and justice.

19. The petitioner craves leave to add to, amend or otherwise alter this petition hereafter generally and particularly in view of the fact that the Respondent No. 1 has failed to furnish his Return of Election Expenses as required by Law or to give inspection to the Petitioner, of the vouchers for the expenses incurred during the election.

The petitioner herein in obedience shall ever pray.

Dated at Palanpur this 22nd day of March 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL,

Signature of the petitioner.

VERIFICATION

I, Mehta Gordhandas Girdharlal, the Petitioner herein, do hereby solemnly affirm that what is stated in paragraphs 1, 2, 3, 4 and 5 of this petition is true to the best of my knowledge and I verify what is stated in paragraphs 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15 of this petition upon information received and I believe the same to be true.

Dated at Palanpur, this 22nd day of March 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL,

Signature of the Petitioner.

Solemnly affirmed before me by Shri Mehta Gordhandas Girdharlal, who is personally known to me.

Dated at Palanpur this 22nd day of March 1952.

(Sd.) ILLEGIBLE,

*Resident Magistrate, First Class,
Palanpur, 22nd March 1952.*

Annexure "B" (Collectively)

Particulars as to "undue influence" exercised by Shri Dahyalal Manilal Mehta, a Government Employee.

1. Shri. Dahyalal Manilal Mehta, a Government employee, who holds an important and a very influential salaried post as the Secretary of the Rural Development Board, Banas Kantha District, actively carried on the election campaign on behalf of Respondent No. 1 herein in his company and/or with his connivance, as the convener of 'Banass Kantha Zilla Congress Frachar Samiti' i.e. The Banas Kantha District Congress Election Propaganda Committee and as the Editor of *Azad Bharat* a Gujarati weekly.

2. The said Shri Mehta, as the Secretary of the said Rural Development Board, could and did in fact bestow benefits to agriculturists many among whom were voters in the said Constituency, in the form of giving them articles of scarcity at Government controlled rates, such as cement, corrugated iron sheets, agricultural implements and provided other agricultural needs of the voters during the period of the election campaign between November 1951 and January 1952.

3. The said Shri Mehta organised and addressed public meetings of voters and owners during the said election campaign period, at Abu Road on 8th December 1951, Mount Abu on 9th December 1951, Palanpur on 2nd December 1951 and 19th December 1951 when Shri Morarji Desai also addressed the meeting on 1st December 1951 and other places in the said Constituency. He also canvassed for voters for Respondent No. 1 during the election campaign in the whole Constituency and thereby influenced the voters considerably in contravention of the provisions of Law. These facts amount to a major corrupt practice under Section 123(8) of the said Act.

4. Shri Dahyalal Manilal Mehta was responsible as the convener of the Banas Kantha District Congress Election Propaganda Committee, for organising the entire election campaign of Congress candidate including the programme of various congress leaders for election propaganda in the entire Banas Kantha Constituency. He thus arranged and organized and/or addressed meetings of Shri Morarji Desai, Home Minister, Government of Bombay, Shri Kanaiyalal Desai, President, Gujarat Regional Congress Committee, Shri Narendrasinghi Mahida, a leading worker of Gujarat, Shri Nathalal D. Perikh, a Congress leader of Bombay, Shri Akbarbhai Chavda, Congress candidate for the House of the People, Shri Galba Nanji and Yusuf Miya, Congress candidates for the Bombay Legislative Assembly as per the attached pamphlet and issues of "*Azad Bharat*", dated 18th December 1951 (No. 45), 4th December 1951 (No. 43) and 11th December 1951 (No. 44).

Annexure "F" (Collectively)

Particulars of malpractices by Government Employees.

1. Shri Dahyabhai Manilal Mehta's election activities during the entire election campaign of the Congress Party between October 1951 and January 1952 as per said Annexure "E".

2. A pamphlet in Gujarat against the Socialist Party and in favour of the Congress Party was published and widely circulated in the Banas Kantha District by one Shri Morarji A. Joshi, a Clerk in the office of the Collector, Banas Kantha District, dated 27th September 1951 (copies of the correspondence with the Collector and the Election Commissioner attached hereto.)

3. Interference in election work of the Petitioner by the Secret, Police and other Police Officers as per his open letter to Pandit Jawaharlal Nehru, dated 8th(?) November 1951 (copy attached hereto).

4. Threats by certain Police Officers to a sympathiser of the Petitioner staying in New Deesa, who is afraid to disclose his identity, and whom they met on 4th(?) November 1951.

5. The petitioner's election worker Shri Kantilal M. Gandhi, belonging to the Socialist Party, was harassed by a Police Officer at New Deesa on 18th November 1951 as per copy of the complaint, dated 19th November 1951.

6. A village Headman, Patel Kesarbhai Muljibhai, and a paid Government employee of the village Sangla near Malana and Bhutedi openly advocated at a meeting of leading men of different villages in the Palanpur Taluka held at Bhutedi on 28th November 1951 that all Patels or village headmen should see that the voters in their villages voted for the Congress Party only (copies of correspondence traceable other than a confidential letter attached).

7. Shri Kachra Godad, the Pater or headman of village Gadh actively carried on election propaganda for the Congress Party on 14th December 1951 in Vasani and Samdhi in the Gadh Taluka in company of leading Congress workers like Bochand Master, a congress worker.

8. Shri Rishiraj, a Congress worker, drawing salary and/or honorarium from the Government of Bombay, presided and spoke at a meeting of the farmers of 80 villages in the Abu Road Taluka, held at Abu Road on or about the third week of December 1951 as per its report appearing in the issue of the Congress Weekly "Azad Bharat", dated 18th December 1951 (Issue No. 45, 1st year).

9. Shri Dahyabhai M. Mehta, the said Government employee and the chief organiser of the election campaign of the Congress Party as the convener of the Banaskantha District Congress Propaganda Committee, made a false and defamatory statement of fact known to him to be so or not to be correct against the petitioner to his great prejudice in the said election, by publishing it in the Congress Weekly "Azad Bharat" on its issue dated 18th December 1951 (No. 45, 1st year) in the following words: "જોં જીં મેહતા અને માતાના કીજા આદા બેવફા અને કપુત સંતાનો કોંગ્રેસ જેવી માતાની ઘોર ખોદીને દેશનો ઉઘ્ઘાર કરવાના (Copies of correspondence attached hereto).

10. Shri Balubhai Kapadia, a Congress Polling Agent was found canvassing votes for the Congress candidate with his badge of the Polling Agent on within 100 yards

of the Polling Booth No. $\frac{HP\ 1}{102\ (102)}$ at Deesa on 7th January 1952.

11. Shri Dahyalal M. Mehta, a Government employee as aforesaid, carried on election propaganda in favour of Congress candidate in Palanpur within 100 yards of the Polling Booths at Rajgadhi on 3rd January 1952 at about 8 a.m. in a motor car No. 7052 followed by another Congress car No. 8149 with the Congress posters thereon advocating to the voters to vote for the Congress.

12. Shri Meghraj Patel, the Police Patel and village headman of Mehmadpur had on or about 19th December 1951 carried on active election work propagating and canvassing support for Congress candidates in the company of Isu Khushal and Moti Mochi of the same village and Shri Galabbhai Manji, a Congress candidate for the Bombay Legislative Assembly. He told the voters that Shri Morarji Desai was to visit and address the said village on or about 19th December 1951, that he was a Minister and that if the people did not vote as per his advice but voted for the Socialist instead, then, their controlled rations would be stopped, their ration cards would be withdrawn.

On the day previous to the election day, i.e. on 2nd January 1952 the said Shri Meghraj Patel along with others mentioned above visited the Thakarda Vas and the Vaghri Vas in the said village and threatened the people that if they did not vote for the Congress, they would not get articles in the village, their food and water would be stopped and the special food known as "Khali Paninun Anaj" be given to them would also be stopped. The people of both these localities were therefore become a victim of fear so instilled in them.

13. Shri Barot, the Personal Assistant to the Collector, Banas Kantha District, was acting as an agent of Respondent No. 1 on 20th November 1951 when he was taking instructions on the 'phone in the course of a trunk-call from the office in Bombay of Shri Morarji Desai, the Home Minister of the Government of Bombay, to trace Shri Akbar Chavda, Respondent No. 1 herein and to ask him to tender his resignation as the organiser of the Sarvodaya Kendra as he was to contest for the Parliament.

14. Shri A. A. Saiyad, the Presiding Officer, of the Dolatpur polling booth in the Tharad Taluka accompanied voters though they were neither blind nor disabled but were normal and helped to cast their votes thereby violating the secrecy of voting. The same practice was also followed twice by the Assistant of the Presiding officer.

15. Shri Manji Godad, the village headman or Patel of the village "Moti Bhatmal" was carrying on election propaganda on or about 7th January 1952 for the Congress candidates, threatening the voters that if they did not vote for the congress, their hutments would be destroyed and they would have no place to stay in or that the water of the village well would not be made available to them for drinking.

The drum of the village was also beaten on 7th January 1952 near the house of the said Patel and a meeting was held by him when he asked the people to put their votes in boxes with the symbol of bullocks, and threatened them with dire circumstances if they did not do so.

16. Shri Dahyalal Manilal Mehta, fully described hereinbefore as the Editor of the said "Azad Bharat" and with the connivance of the Respondent No. 1, being the convener of the said Banas Kantha District Congress Election Propaganda Committee, made a statement of fact against the petitioner in relation to his personal character or conduct, which is false and which he either believed to be false or did not believe to be true, which was a statement reasonably calculated to prejudice the prospects of the Petitioner as a candidate at the said election. The said statement was made in the issue of Azad Bharat, dated 18th December 1951 No. 45 at p. 8, where he attacked the personal character and/or conduct of the Petitioner by calling him "भारतना बेवका अने कपुत संतानो" i.e. "Betrayer and lowly son" of India, which amounts to a major corrupt practice under section 123(5) of the said Act. Copies of the correspondence ensued between the Petitioner and the said Shri Mehta in this connection is attached hereto.

No. EST. 16.

Palanpur, 16th October 1951.

Shri Matubhai Kothari,
Secretary,
Socialist Party,
Palanpur.

SIR,

With reference to your letter, dated the 8th October 1951, in regard to the press note issued by the clerk Shri Morarji A. Joshi, I am to inform you that necessary action in the matter has already been taken.

Yours faithfully,

(Sd.) M. V. DESAI,

Collector, Banas Kantha District.

No. EST-16.

Palanpur, 3rd November 1951.

To

The Secretary,
Socialist Party,
Palanpur.

SIR,

With reference to your letter, dated the 24th October 1951, enquiring about the action taken against the clerk Shri Morarji Joshi and so on, I am to inform you that the Collector knows his work and job and does not require any advice in the matter. You may also please note that the Collector is not answerable to you for his internal administration.

Yours faithfully,

(Sd.) M. V. DESAI,

Collector, Banas Kantha District.

SOCIALIST PARTY

Palanpur (Banas Kantha).

Dated, 8th November 1951.

To

Shri Sukumar Sen,
Chief Election Commissioner,
New Delhi.

In the matter of a Gujarati pamphlet published by Shri Morarji A. Joshi, clerk in the Collector's office, Banas Kantha District, Bombay.

SIR,

I beg to draw your attention to the anti-Socialist propaganda conducted through a pamphlet by Shri Morarji Amrit Joshi, a Government servant, working in the Collector's office, Banas Kantha District, Bombay.

I herewith send to you a copy of the propaganda pamphlet as well as the Lokwani issues of 20th September 1951, and 27th September 1951, respectively.

An exhaustive scrutiny of the above mentioned literature will amply convince you that Shri Morarji's pamphlet is based on slander and lies and has the only motive of conducting anti-Socialist propaganda in the light of the forthcoming general elections.

Moreover, in view of the Government proclamations that instructions had been issued that "permanent services are required by Law and expected by Government to be scrupulously impartial in their work" this action of Shri Morarji Joshi is a flagrant violation of the Government Servants Conduct Rules, as well as a challenge to the 'free and impartial election policy' of the Administration.

Subsequently, the whole issue was communicated to the Collector, Banas Kantha District, Palanpur (Bombay). The whole matter being of public interest from the election point of view, the Collector was requested to apprise us with the nature of action taken, if any, against the party concerned.

I have attached the Collector's reply, herewith for your perusal.

I firmly maintain that if such violation of Government orders by Government Servants themselves, are allowed to go unheeded, it would set a dangerous precedent and the election would be nothing but a mockery of the people.

So, I request you to make prompt inquiry in this connection and kindly let me know *whether adequate steps* have been taken against the party concerned and if so, *of what type*, so that the public can be apprised with the *bona fide* of the Government and the parties contesting the election may fight with it with the firm conviction that the administration is prepared to act according to its pledges.

Yours faithfully,

(Sd.) MATUBHAI DESAI, Secretary.

Copy to:

The Collector, Banas Kantha.

The Returning Officer, Banas Kantha.

The Parliamentary Board, Socialist party.

Annexure "H" (Collectively)

1. That the accompanying pamphlets were got printed, published and widely circulated at the instance of the Congress Committee, Abu Road, in furtherance of the prospects of Respondent No. 1, the Congress candidate for the House of the People from the Banas Kantha Constituency, with the connivance of the Congress candidates concerned including Respondent No. 1 herein.

2. That the said pamphlets turned out to be very effective in instilling a sense of fear among the voters of Abu Road and the Abu Road Taluka, with the result that they desisted from going to the polls and consequently in most places the voting was very low, at times, as much as only 8 per cent. of the total number of votes in the Constituency.

3. That the said pamphlets contravened the very spirit of the Election Law affecting the peoples' right of franchise, the most valued right of citizenship in a democracy.

4. That behind the said pamphlets was the hand of the Abu Road Congress Committee, which did not hesitate to intimidate the people if they did not desist from voting in the course of its election campaign between November 1951 and January 1952.

5. That the said pamphlets accompanied by the Congress propaganda created a fear in the minds of the voters that if they exercised their right of voting, they would be linked up with the Bombay State and Abu Road Taluka cannot merge with the Rajasthan State till the doomsday, thereby creating a feeling among them similar to Social ostracism and/or expulsion from the community to which they thought they rightfully belonged like other people of Rajasthan.

6. That the said pamphlets accompanied by the Congress propaganda amounted to a systematic appeal to the voters to refrain from voting on grounds that they belonged to a race and/or a community, which was akin to that of the Bombay State. Hence one of the pamphlets even asserted that "to vote is to commit suicide".

7. That Shri Jagannath Upadhaya, calling himself Secretary or Deputy Secretary at different times, the Abu Road Congress Committee and/or the Congress candidates concerned including Respondent No. 1 committed a serious illegal practice under Section 125(1) of the said Act, if he had no proper sanction for the publication of the said circulars.

8. That the said Shri Jagannath, the Abu Road Congress Committee and/or the Congress candidates concerned including Respondent No. 1 were guilty both under the Press Laws and under Section 125(3) of the Said Act, for getting printed published and/or circulated the pamphlet under the title "बोट देना आत्महत्या है !

चुनावों में आबू की जनता उदासीन रहे" without the name and address thereon of the printer and publisher.

Annexure "I" (Collectively).

List of illegal practices and electoral offences prejudicial to the interests of the Petitioner.

1. The Polling Agents of the Petitioner were not permitted to enter the polling booth at Rupal on the election day on 3rd January 1952.

2. Shri Ranchhodlal Mangaldas Soni, the Polling Agent of the petitioner was not allowed to enter the polling booth at Magarwada on 3rd January 1952.

3. Congress workers and the police generally carried on active propaganda in favour of the Congress candidates and threatened voters of the Pepal village with punishment if they voted for the Socialist candidates within 100 yards of the polling booth at Mepda on 3rd January 1952.

4. Polling Agents Manilal Maganlal Barot, Nathalal Bhaichand and Babylal Godadbbhai to act as relievers for Shri Manilal Chelji and Ratanchand Punjaram were not allowed to do their duty and act as Polling Agents inside the polling booth at Mehmadpur on 3rd January 1952. Even when a protest was given in writing by them, the Presiding Officer refused to accept the same.

5. Polling Agents of the Congress Party carried on active propaganda in favour of the Congress candidates within 100 yards of the polling booth at Vadgam on 3rd January 1952. A complaint was lodged in this respect and action was also taken after an enquiry into it. Shri Rugnath Maga, Shri Dharma Fata Garoda and Shri Kanji Ramji were caught redhanded at aforesaid between 12-30 and 1 P.M.

6. Shri Shankerlal Kacharabhai Soni, the Polling Agent of the Petitioner, was refused admission in the polling booth at Vadgam in the morning on 3rd January 1952 and he was admitted only after 12 noon on that day.

7. The tricolour national flag was used by the Congress workers at Vadgam for the purposes of the election on 3rd January 1952.

8. Shri Amarsinghji Bhati, the Polling Agent of the Petitioner was not permitted to enter the polling booth at the Sedrasan Polling Station on 3rd January 1952.

9. Shri Kantilal M. Gandhi, the Polling Agent of the Petitioner for the Badargadh polling booth was refused permission to which the Petitioner's interests to his prejudice on 3rd January 1952.

10. Congress volunteers were caught red-handed at Khimanavas in the Wav Taluka on 11th January 1952, bringing voters from adjoining village in the Congress car.

11. Aminkhan Gulabkhan, a police constable, was posted near the ballot boxes inside the polling booth No. HP 1/122 at Gadh on 7th January 1952, thereby influencing the voters contrary to law. Though a request was made to the Presiding Officer to remove him from the polling booth.

12. Armed policemen on guard were posted inside the polling booth at Sedasan in the Palanpur Taluka on the election day on 3rd January 1952. They were so posted near the polling compartment that one of them could see as he was in fact watching inside it as to how each voter cast his vote. This fact violated secrecy of voting contrary to the provisions of the Representation of the People Act, 1951 and prejudiced the interest of the Petitioner while benefiting Respondent No. 1 as a candidate of the ruling party.

Dated at Palanpur this 22nd day of March 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL.

Signature of the Petitioner.

VERIFICATION

I, Mehta Gordhandas Girdharlal, the Petitioner herein, do hereby solemnly affirm that what is stated in this list of particulars, Nos. C2, E1, F3 and 6 and 112, is true to the best of my knowledge and I verify what is stated in the said List Nos. A1, B1, and 2, C1, D1 and 2, E2, 3 and 4, F. 1, 2, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16, G1, 2, 3, and 4, H1, 2, 3, 4, 5, 6, 7 and 8 and I1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 upon information received and I believe the same to be true.

Dated at Palanpur, this 22nd day of March 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL.

Signature of the Petitioner.

Solemnly affirmed before me by Shri Mehta Gordhandas Girdharlal, who is personally known to me.

Dated at Palanpur, this 22nd day of March 1952.

(Sd.) D. H. PATEL,

Resident Magistrate First Class,

Palanpur, 22-3-52.

Seal.

Signature and full designation of Magistrate.

BEFORE THE ELECTION TRIBUNAL.

Petitioner.

Mehta Gordhandas Girdharlal, C/o Socialist Party, Palanpur.

VERSUS

Respondents.

1. Chavda Akbar Dalumiyan, Kanazara, Deesa Taluka, Banas Kantha District.
2. Modi Mayachand Khemchand, Station Road, Palanpur.
3. Mehta Dahyalal Manilal, Amlr Road, Palanpur.

In the matter of the Election Petition under Section 81 of the Representation of the People Act, 1951, against Shri Chavda Akbar Dalumiyan, the—returned candidate to the House of the People from the Banas Kantha Constituency;

and

In the matter of further Petition by way of additions, alterations and amendment of the said Election Petition, dated 23rd March 1952.

May it please Your Honours,

This further petition of the Petitioner above named by way of additions, alterations and amendment of the Election Petition of the Petitioner herein dated the 22nd March 1952, respectively sheweth as under:—

1. Shri Chavda Akbar Dalumiyan, Respondent No. 1 herein, neglected and failed to give inspection of the necessary vouchers, which should have accompanied his Return of Election Expenses, within 24 hours of the receipt of the letter of the Petitioner dated, 15th March 1952, calling upon him to do so, followed by the letter of the Returning Officer to him dated, 17th March 1952, thereby rendering his said Return of Election Expenses "false in material particulars". (See pages 18-20, Annex. "C" to the said Election Petition re: the said correspondence).

2. Respondent No. 1 also neglected and failed to give inspection of the Books of Account and particularly the Cash Book and the Ledger, which do not appear to have been maintained by him or by anyone else on his behalf, though called upon to do so by the Respondent, as per his letters to him and to the Returning Officer, respectively, both dated, 23rd March 1952 (see pages 23-24, Annex. "C" to the said Election Petition *re*: the said letters).

3. Even when, belatedly, an inspection of the vouchers kept by the Congress offices at Palanpur, Deesa and Amreli was given to the Petitioner at Palanpur on 31st March 1952 and 1st April 1952, neither the Cash Book and the Ledger nor any other books of accounts were shown to the Petitioner although an inspection of the same was specifically demanded, thereby leading to the presumption that no books of accounts whatever were maintained by or on behalf of Respondent No. 1 herein. Copies of further correspondence in this respect are annexed hereto and marked "C1" (collectively).

4. Moreover, the vouchers produced for inspection showed material irregularity, some of them bearing either no date or no signatures or no serial number, while the items of expenditure represented by some of them were not placed under correct headings as required by law and particularly as per Form 26 under Rule 112(2) of the Representation of the People. (Conduct of Elections and Election Petitions) Rules, 1951. The particulars in this respect are annexed hereto and marked "C2".

5. The said Return of Election Expenses of Respondent No. 1 together with the said vouchers produced for the Petitioner's inspection, does not show or account for fully the particulars as to the receipts of monies, nor do the said vouchers produced for inspection give any indication as to from whom and when the monies for election expenses were received, as required by law. The petitioner craves leave to refer to the Return of Election Expenses filed with the Returning Officer and the said vouchers produced for the Petitioner's inspection when produced at the trial heretof.

6. The said Return of Election Expenses of Respondent No. 1, together with the vouchers produced for inspection as aforesaid, does not disclose the expenses of travelling by rail or otherwise and other related items of expenditure of Shri Morarji Desai, Shri Kanaylal Desai, Shri Nathalal Parikh, Shri Rasulbhai, Shri Narendrasinh Mahida, Shri Ratilal Gandhi, Smt. Pushpaben, Shri Uchharangrai Dhebar, when they paid visits on various occasions to different parts of the Banas Kantha Constituency from their respective headquarters or other places as per the particulars annexed hereto and marked "C3".

7. The said Return of Election Expenses of Respondent No. 1, together with the vouchers shown to the Petitioner at the said inspection, does not disclose the entire expenses incurred on all the automobiles used during the Election Campaign for furtherance of the prospects of Respondent No. 1 at the said election as required by law. Particulars in this respect are annexed hereto and marked "C 4".

8. Respondent No. 1 herein has incurred an expense in respect of the conduct and management of his said election in excess of the maximum amount specified in law in respect of the said Constituency in contravention of Section 123(7) of the Representation of the People Act, 1951, read with provisions of Rule 117, Schedule V of the Representation of the People (Conduct of Elections and Election Petitions) Rules, 1951, if the items of expenditure referred to in the foregoing paragraphs 6 and 7 are fully taken into account.

9. Respondent No. 1 has committed a major corrupt practice contrary to the provisions of Section 123(7) of the Representation of the People Act, 1951, read with Rule 118 and Schedule VI of the Rules made thereunder, inasmuch as he had employed by himself or through his agents with his connivance more persons for payment in connection with his said election that was permissible under the law as per the particulars annexed hereto and marked "C 5".

10. The said Return of Election Expenses of Respondent No. 1, along with the vouchers disclosed in the said inspection, does not show what articles were sold, for which the total resale value of Rs. 602-8-3 is shown in a lump sum and deducted from the total expenditure incurred by the Palanpur office of the Congress under Part A.

11. Undue influence and/or bribery was practised on Shri Bhera Narsing, a prospective candidate of the Socialist Party for the reserved seat for Scheduled Tribes for the Bombay Legislative Assembly from the Palanpur-Abu-Vadgam-Danta Constituency, as a result of which the said Shri Bhera was scared away and did

not dare even to put in his nomination. The expense incurred for this purpose as shown by the vouchers referred to above with particular reference to the voucher referred to in Annex. "C 6" hereto, is illegal and amounts to a major corrupt practice under Section 123 of the Representation of the People Act, 1951.

12. Undue influence and/or bribery was practised on Shri Kanaiyalal Durlabhram Bhansali, a candidate for the Bombay Legislative Assembly from two constituencies namely, (1) Palanpur-Abu-Vadgam-Danta and (2) Deesa-Dhanera, who was promised and made an offer of the Congress Party's ticket at the said election from the Deesa-Dhanera Constituency, if he withdrew his candidature from the Palanpur-Abu-Vadgam-Danta Constituency. He accepted the said offer and gratification, announced his withdrawal as a candidate from the Palanpur-Abu-Vadgam-Danta Constituency and contested the said election on the Congress ticket from Deesa-Dhanera Constituency. All the expense as disclosed by the vouchers referred to above and incurred by the Congress Party in this respect is illegal and amounts to a major corrupt practice under Section 123 of the Representation of the People Act, 1951. The Petitioner craves leave to refer to the Returns of Election Expenses filed by the said Shri Kanaiyalal D. Bhansali and by Respondent No. 1 herein respectively together with the vouchers on which they are based, when produced at the trial hereof.

13. Undue influence and/or bribery was practised in respect of candidature of Shri Modi Mayachand Khemchand, Respondent No. 2 herein, as a result of which the said Respondent No. 2 acquiesced in and/or permitted the announcement by the Congress Party on behalf of Respondent No. 1 or by his connivance that the Respondent No. 2 herein had withdrawn from the contest at the said election, though duly nominated as a candidate, in return for certain consideration paid to him for the purchase of his two motor cars by the Congress Party on behalf of Respondent No. 1 as aforesaid. The particulars in this respect are annexed hereto and marked Annex. "C 7".

14. The Petitioner herein craves leave of this hon'ble Tribunal to refer to the Returns of Election Expenses of all the Congress candidates for the House of the People and for the Bombay Legislative Assembly respectively from the Banas Kantha District and the Amreli-Damnagar District together with all the vouchers submitted and/or relied upon by them jointly and/or severally to prove the contentions herein as per the said Election Petition, dated 22nd March 1952 and as per this Further Petition when produced at the trial of the same.

15. For the foregoing and other reasons, the petitioner respectfully prays in terms of the prayers in the said Election Petition, dated 22nd March 1952 of the Petitioner herein.

16. The Petitioner craves leave to add to, delete or otherwise amend this further Petition including the particulars herein.

The Petitioner herein in obedience shall ever pray.

Dated, at Palanpur, this 4th day of April 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL.

Signature of the Petitioner.

VERIFICATION

I, Mehta Gordhandas Girdharlal, the Petitioner herein, do hereby solemnly affirm that what is stated in paragraphs 1, 2, 3 and 4 (part) of this Further Petition is true to the best of my knowledge and I verify what is stated in paragraph 4 (part), 5, 6, 7, 8, 9, 10, 11, 12 and 13 of this Further Petition upon information received and I believe the same to be true.

Dated at Palanpur, this 4th day of April, 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL.

Signature of the Petitioner.

Solemnly affirmed before me by Shri Mehta Gordhandas Girdharlal, who is personally known to me.

Dated at Palanpur, this 4th day of April, 1952.

Palanpur, 4th April, 1952.

(Sd.) D. H. PATEL,

Resident Magistrate First Class.

Seal.

(Signature and full designation of Magistrate).

BEFORE THE ELECTION TRIBUNAL

Petitioner

Mehta Gordhandas Girdharlal, C/o Socialist Party, Palanpur.

VERSUS

Respondents

1. Chavda Akbar Dalumiyar, Kanazara, Deesa Taluka, Banas Kantha District.
2. Modi Mayachand Khemchand, Station Road, Palanpur.
3. Mehta Dahyalal Manilal, Amir Road, Palanpur.

In the matter of the Election Petition under Section 81 of the Representation of the People Act, 1951, against Shri Chavda Akbar Dalumiyar, the returned candidate to the House of the People from the Banas Kantha Constituency;

AND

In the matter of Further Petition by way of additions, alterations and amendment of the said Election-Petition dated 22nd March 1952;

AND

In the matter of this Supplementary Petition by way of amendment of the said Election Petition dated 22nd March 1952 and the said Further Petition, dated 4th April, 1952.

May it please Your Honour,

This Supplementary Petition of the Petitioner above named by way of amendment of the Petitioner's Election Petition, dated 22nd March 1952 and the Further Petition, dated 4th April 1952, *inter alia* on disclosure of certain material and relevant facts herein, after inspection of the vouchers maintained by the Congress Party relied upon by Respondent No. 1, herein, for his Return of Election Expenses and produced for inspection of the Petitioner on 31st March 1952 and 1st April 1952 as stated in the said Further Petition and on further disclosure of certain other material and relevant facts herein, after inspection by the Petitioner of the Return of Election Expenses of Respondent No. 2, herein, respectfully sheweth as under:—

1. That Shri Modi Mayachand Khemchand, Respondent No. 2 herein, a senior and reputed lawyer of a very long standing at the Palanpur Bar, has failed to lodge a correct and proper Return of Election Expenses as required by law, with particular reference to Section 76 of the Representation of the People Act, 1951, read with Rule 112(2), Schedule IV as well as Form 26 thereunder of the Representation of the People (Conduct of Election and Election Petitions) Rules, 1951, made thereunder, on the grounds, *inter alia* hereinafter following and Respondent No. 2 has thereby rendered himself to be disqualified as a candidate for the purpose of the said election to be chosen as a member of the House of the People from the Banas Kantha Constituency in terms of Section 7(c) of the said Act.

2. That Respondent No. 2 has left entirely blank the columns under the head of "Receipts" in Form 26 filled in and lodged for his said Return of Election Expenses, contrary to the mandatory provisions of the law referred to above, as per his said Return to which the Petitioner craves leave to refer at the trial hereof.

3. That Respondent No. 2 has failed to disclose under the head of "Receipts" in the said Return the fact that two of his automobiles were given to the Congress Party on behalf of Respondent No. 1 herein, for which Respondent No. 2 realised Rs. 5,175 and Rs. 240 respectively by way of consideration on 13 February 1952 from the Congress Party on behalf of Respondent No. 1, herein. Particulars in this respect are annexed hereto and marked "J 1".

4. That the said Return of Election Expenses of Respondent No. 2, while disclosing the price of Rs. 4,100 of the Jeep-car No. BYA 6330 purchased from Parsee Bamansha Beramsha, under the head "K" does not disclose at all either the purchase price or the value for the use of the other automobile utilised during the period of his election propaganda, as required by law. Particulars in this respect are annexed hereto and marked "J 2".

5. That Respondent No. 2 withdrew and/or acquiesced in the announcement by the Congress Party of the withdrawal of his candidature from the contest at the said election, in return for certain consideration paid to him for the purchase of his two motor cars by the Congress Party on behalf of Respondent No. 1 as aforesaid and thereby became a party to a shady transaction amounting to a major corrupt practice under section 123(1) of the said Act. Particulars in this respect are annexed hereto and marked "J 3".

6. That under Section 99 read with Sections 141 and 143 of the said Act and on, *inter alia* the foregoing grounds;

- (a) Respondent No. 2 has made and should be declared as having made the Return of Election Expenses, which is false in material particular and has thereby committed a minor corrupt practice in terms of Section 124(4) of the said Act;
- (b) Respondent No. 2 has committed and should be declared as having committed the major corrupt practice of incurring or authorising of expenditure in contravention of the Representation of the People Act, 1951, and the Rules made thereunder in terms of Section 123(7) of the said Act;
- (c) Respondent No. 2 has been guilty of the major corrupt practice of "Bribery" in terms of Section 123(1) of the said Act and should be declared as having committed the same; and
- (d) Respondent No. 2 has rendered himself liable to be and should be declared as having been disqualified as a candidate for membership of the House of the People for the said election and after, in terms of Section 7(c) of the said Act.

7. That under section 99 read with Sections 141, 142 and 143 of the said Act, and on, *inter alia* the grounds mentioned in the Petitioner's Election Petition, dated 22nd March 1952, the Further Petition, dated 4th April 1952 and this Supplementary Petition;

- (a) Respondent No. 1 should be declared as having lodged the Return of Election Expenses, which is false in material particulars and has thereby committed a minor corrupt practice in terms of Section 124(4) of the said Act;
- (b) Respondent No. 1 should be declared as having committed the major corrupt practice of incurring or authorising of expenditure and/or employing more persons than permissible under and in contravention of the law in terms of Section 123(7) of the said Act;
- (c) Respondent No. 1 should be declared as having been guilty of the major corrupt practice of "Bribery" in terms of Section 123(1) of the said Act; and
- (d) Respondent No. 1 should be declared as having been disqualified as a candidate for membership of the House of the People for the said election and after, in terms of Section 7(c) of the said Act.

8. The Petitioner herein respectfully prays, *inter alia* for the reasons and on the grounds set forth in the Petitioner's said Election Petition, the said Further Petition and this Supplementary Petition, that this Hon'ble Tribunal be pleased to declare and/or decide under Sections 98 and 99 of the said Act, in terms of prayers set out in paragraph 18 of the Petitioner's said Election Petition, dated 22nd March 1952 and in terms of paragraphs 6 and 7 above of this Supplementary Petition.

9. The Petitioner craves leave to add to, delete or otherwise amend this Supplementary Petition including the particulars herein.

The Petitioner herein in obedience shall ever pray.

Dated at Palanpur, this 10th day of April 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL.

Signature of the Petitioner.

VERIFICATION

I, Mehta Gordhandas Girdharlal, the Petitioner herein, do hereby solemnly affirm what is stated in paragraphs 2 (part), 3 (part) and 4 (part) of this Supplementary Petition is true to the best of my knowledge and I verify what is stated in paragraphs 1, 2(part), 3(part), 4(part), 5, 6, and 7 of this Supplementary Petition upon information received and I believe the same to be true.

Dated at Palanpur, this 10th day of April 1952.

(Sd.) MEHTA GORDHANDAS GIRDHARLAL,
Signature of the Petitioner.

Solemnly affirmed before me by Shri Mehta Gordhandas Girdharlal who is personally known to me.

Dated at Palanpur, this 10th day of April 1952.

(Sd.) D. H. PATEL,

*Resident Magistrate, First Class,
Palanpur, 10th April 1952.*

Seal

*(Signature and full designation
of Magistrate).*

It is hereby further notified that the Election Tribunal which has been appointed for the trial of this petition shall meet at the District Court Building, Ahmedabad, at 11 o'clock in the forenoon on Thursday the 25th (Twenty-fifth) day of September 1952 in connection with this petition.

Dated the 11th August, 1952.

B. C. VAKIL, Chairman,
Election Tribunal, Ahmedabad.

No. 1.—In pursuance of the provisions of sub-section (1) of section 90 of the Representation of the People Act, 1951 (XLIII of 1951), the following election petitions presented under section 81 thereof is published for information.

V. B. SARWATE, Chairman.

Dated the 12th August 1952.

**ELECTION PETITION No. 268 of 1952
BEFORE THE ELECTION COMMISSION, NEW DELHI
Petitioner**

Sardul Singh Caveeshar, son of Sardar Kirpal Singh, resident of Dharampur Lodge, Sabzi Mandi, Delhi.

**VERSUS
Respondents**

1. S. Hukam Singh son of S. Sham Singh. Member Parliament, Paramjit Ganj, Kapurthala.

2. S. Ajit Singh son of S. Sadhu Singh, village Akalla Jalal, P.O. Dyalpura Bhai Ka, District Barnala

3. Shree Kapur Chand son of Shree Narain Dass, Advocate, Faridkot.

4. L. Kharaiti Ram son of L. Munshi Ram, Socialist Party, Pepsu Regional Office, Patiala.

5. Shree Ram Nath son of Shri Waziri Mal, Ex-Minister, Jaitu.

6. S. Suchet Singh son of S. Harnam Singh, near Police Lines, Kapurthala.

7. S. Nirmal Singh son of S. Tirlok Singh. House No. 860, Mohalla Mahikhana, Faridkot.

8. S. Gurdial Singh son of Shankar Dass, Gali No. 5, Basti Balbirganj, Faridkot.

Petition under S. 83, The Representation of People Act, No. 43 of 1951.

RESPECTFULLY SHOWETH:

1. That the Petitioner and Respondents were candidates to the House of the People from the Double Member Kapurthala-Bhatinda Constituency in the last General Elections held in the month of January, 1952. The Petitioner contested the seat as a nominee of the Congress Party and Respondents No. 1 and No. 2 as nominees of the "PANTHIC" Party,

2. That the result of the polling in this election was as follows:—

General Seat.

S. Hukam Singh (Panthic) 2,10,067; S. Sardul Singh Caveeshar (Congress) 1,25,055; Kapur Chand (Jan Sangh) 37,345; Kharaiti Ram (Socialist) 38,222; Ram Nath (K.M.P.F.) 33,613; Suchet Singh (Forward Block) 31,081.

Reserved Seat.

Ajit Singh (Panthic) 1,86,623; Nirmal Singh (Congress) 1,29,760; Gurdial Singh (Independent) 51,507.

Sardar Hukam Singh was declared elected from the General Seat and Sardar Ajit Singh from the Reserved Seat.

3. That Respondent No. 1 has been President of the Shromani Akali Dal for two years past. Prior to that Master Tara Singh was President of the said Organisation. Master Tara Singh still continues to be the foremost leader of the Organisation. Respondent No. 2 is also a prominent member and representative of the said body.

4. That the Shromani Akali Dal is a communal organization of the Sikhs and often styles itself as "The Panthic Party", since it claims to represent the religious and communal interests of the Sikh Panth or community, as a whole. The Spokesman, The Ajit, The Prabhat and the Akali Patrika are party papers of the Panthic Party and actively worked and propagated for the success of the Panthic candidates in the last General Elections.

5. That Respondent No. 1 is the Editor, Printer and Publisher of the "Spokesman" Weekly, which is published from New Delhi. The "Parbhat" Daily is published from Jullundur and represents the "Panthic" point of view and policy under the leadership of Respondents No. 1 and 2 and Master Tara Singh. The "Akali Patrika" and the "Ajit" both Dailies, published from Jullundur, also represent the "Panthic" view-point and policy in the same way. The policy and politics of Master Tara Singh and Respondents No. 1 and 2 were quite the same as regards communal and political matters at the last General Elections.

6. That the "Spokesman" in its issue, dated the 23rd January 1952, published the following banner-line news on the front page:—

Who's Who of Congress Candidates.

CAVEESHAR FIGURING IN 4 CRORES ALLEGED FRAUD CASE—GIANI ZAIL SINGH A CONVICTED CRIMINAL—SHIV SINGH ARRESTED FOR ALLEGED POSSESSION OF LIQUOR.

Bombay: Shri Sardul Singh Caveeshar, who is opposing S. Hukam Singh, the Akali Chief, as the Congress nominee for the House of the People from Kapurthala-Barnala-Bhatinda Constituency, is being prosecuted for an alleged breach of trust along with Seth Damodar Swarup, L. Shankar Lal, Mr. P. N. Kaul and others.

The case involves an alleged fraud of Rs. 4 crores against the three Bombay Insurance Companies—Jupiter, Tropical and Empire.

This Paper was widely circulated in the Petitioner's Constituency.

7. That the "Prabhat" in its issue dated the 23rd January, 1952, prominently displayed on the second page the following news and it was likewise widely published in the Petitioner's Constituency:—

سردار سردول سنگھ کو بکسر پر چار کروڑ روپیہ کا "خرید برد" کرنے کا مقدمہ
۱۹۵۰ میں جو بکسر کمپنی سے ۲۷ لاکھ روپیہ کا ایڈوانس دھوکے سے لیا۔
آپ کے ایک ساتھی نے پچاس کروڑ روپیہ کے سرکاری سیکوریٹیگز کا ناجائز استعمال کیا
بمبئی - ۲۱ جنوری "سیوکسمین" دہلی نے خبر دی ہے کہ سردار
سردول سنگھ کو بکسر پر جو کہ حلقہ پارلیمنٹ کپورتھلہ - بہاولپور - ہرنالہ
سے سردار حکم سنگھ صدر شرومانی اکالی دل کے مقابلہ میں انتخاب لڑ رہے
ہیں - ان کے تین اور ساتھیوں - سیٹھ دامودر سروپ - لالہ شکر لال -
مسٹر پی - این - کول پر چھ کروڑ روپیہ خرید برد کرنے کے سلسلہ میں مقدمہ
چل رہا ہے -

English translation:—

"Case for criminal misappropriation of Rupees Four Crores pending against S. Sardul Singh Caveeshar.

Took advance of 27 Lacs in 1950 from Jupiter Company by fraud. His one companion mis-used Government Securities of 50 crores, Bombay 21st January: "Spokesman" Delhi has given news that a case of misappropriation of 6 crores of rupees is going on against S. Sardul Singh Caveeshar who is contesting Parliamentary seat of Kapurthala-Bhatinda-Barnala constituency against S. Hukam Singh, President, Shromani Akali Dal, and against his three companions:—

Seth Damodar Sarup, Lala Shankar Lal and Mr. P. N. Kaul".

8. That Respondent No. 1 is in fact and in law responsible for the publication of the aforesaid reports. The publications were made with his knowledge, consent or connivance. He is Editor, Printer and Publisher of the "Spokesman", and is also connected with the running and policy of the Paper "Parbhat".

9. That the aforesaid statements of facts are false and Respondent No. 1 and the Editor, Printer, Publisher and the management of "Spokesman" and the "Parbhat" either believed the same to be false or did not believe them to be true in relation to his candidature. The said statements were intended to, and were calculated to, prejudice the prospects of the Petitioner's election. They were published *malafide*. Moreover, the news were so very stale that there was no point in their publication at this stage, except to prejudice the election prospects of the Petitioner. The Petitioner was seriously prejudiced in the final result on account of false propaganda.

10. That a leaflet under the caption "WHO'S WHO OF CONGRESS CANDIDATES—Caveeshar figuring in 4-Crore Alleged Fraud case" was freely distributed by and on behalf of or with the connivance of Respondent No. 1, his friends and supporters, as a part of the election campaign. A copy of this leaflet is marked annexure "A-2". The pleas in connection with Annexure "A-1" apply *mutatis mutandis* to Annexure "A-2".

11. That a systematic appeal was made by Respondent No. 1 and 2 or on their behalf or with their connivance, to the general body of Sikhs on the ground of religion or community for the furtherance of the prospects of their election in the "Spokesman", the "Ajit", the "Parbhat", the "Akali Patrika" and on the platform. They were represented as "Panthic candidates" signifying thereby that they solely stood for the interests and welfare of the Sikh community and religion. For the Sikhs the expression "Panth" has a religious sanctity and to vote for a Congress candidate, which the Petitioner was, as against Panthic candidates, which the respondents No. 1 and 2 were, became an act of sacrilege. Respondents No. 1 and 2 are foremost leaders of the Panthic Party and the Panthic Party claims to stand exclusively for the protection and preservation of Sikh rights, culture and solidarity. It was propagated both in the Press and on the platform that vote for the Congress candidate meant political 'Hara Kiri' *suicide en masse* of Sikhs. The "Panthic" leaders, including Respondents No. 1 and 2 and Master Tara Singh, agitated that the Congress was hostile to the Sikhs generally, and had even made lakhs of them to become apostates, and that to save themselves from extinction the Sikhs must vote against the Congress and for the "Panthic" candidates.

12. That undue influence was brought to bear upon the electors by propaganda on the lines indicated in para. 11 *supra*. This materially affected the result in favour of Respondents No. 1 and 2 and caused serious prejudice to the Petitioner and Respondent No. 7 (Sardar Nirmal Singh) who was a Congress candidate for the Reserved seat.

13. That Shri Kharati Ram, Respondent No. 4, filed his nomination papers and was duly nominated for the Reserved Seat from the Kapurthala-Bhatinda Constituency. He paid Rs. 250 as security in this behalf as against Rs. 500; which is required to be paid for the General Seat. Shri Kharati Ram was not allotted the ballot box with symbol specially marked for the Reserved Seats and he was wrongly treated by the Returning Officer as a general seat candidate from the said Constituency. When the result was declared, he was again treated as a candidate for the General Seat. This was wholly illegal. These illegalities and irregularities seriously prejudiced the election of Shree Kharati Ram, Respondent No. 4, and resulted in his defeat and the success of Shree Ajit Singh, Respondent No. 2. This has vitiated the entire election.

14. The petitioner claims that:—

- (a) The election of Respondent No. 1 be declared void and the Petitioner be declared to have been duly elected; and
- (b) The election of Respondent No. 2 be declared void and the Respondent No. 7 be declared to have been duly elected,
or, in the alternative,

the election of Respondent No. 1 and/or No. 2 be declared void;
and/or, in the alternative,

the election be declared wholly void;

or, such other order be passed as the court deems fit in the circumstances of the case.

(Sd.) SARDUL SINGH CAVEESHAR, *Petitioner*,
through

GYAN SINGH VOHRA, M.A., LL.M., *Advocate*.

VERIFICATION.

I, Sardul Singh Caveeshar, do hereby verify that the contents of paras. Nos. 1 to 12 on facts are true to the best of my knowledge and the remaining ones are true upon information received and believed to be true.

Verified at Delhi this 10th day of May, 1952.

(Sd.) SARDUL SINGH CAVEESHAR, *Petitioner*,

LIST UNDER S.83(2) OF THE PEOPLE REPRESENTATION ACT.

1. Particulars in connection with paras. Nos. 6 and 10 of the Petition:—

In the "Spokesman", dated 23rd Jan. 1952, the following statement of fact was published on the front page:—

Who's Who of Congress Candidates.

CAVEESHAR FIGURING IN 4-CRORE ALLEGED FRAUD CASE—GANI ZAIL SINGH A CONVICTED CRIMINAL—SHIV SINGH ARRESTED FOR ALLEGED POSSESSION OF LIQUOR.

Bombay.—Shri Sardul Singh Caveeshar, who is opposing S. Hukam Singh, the Akali Chief, as the Congress nominee for the House of the People from Kapurthala-Barnala-Bhatinda Constituency, is being prosecuted for an alleged breach of trust along with Seth Damodar Swarup, L. Shankar Lal, Mr. P. N. Kaul and others.

The case involves an alleged fraud of Rs. 4 Crores against the three Bombay Insurance Companies—Jupiter, Tropical and Empire, etc, etc

The "Spokesman", in question is marked Annexure "A" hereto and the statement in question is marked "A-1" and the leaflet in question is Annexure "A-2".

II. Particulars in connection with para No. 7 of the petition:—

In the "Parbhat" dated 23rd January 1952, on the second page, the following news was prominently displayed:—

سردار سردول سنگھ کوپیشر پر چار کروڑ روپیہ "خودبرد" کرنیکا مقدمہ

۱۹۵۰ میں جوپیٹر کمپنی سے ۲۷ لاکھ روپیہ کا ایڈوانس دھوکے سے لیا -

آپ کے ایک ساتھی نے پچاس کروڑ روپے کے سرکاری سیکوریٹیگز کا ناجائز استعمال کیا
بمبئی - ۲۱ جنوری "سپوکسمین" دہلی نے خبر دی ہے - کہ سردار
سردول سنگھ کوپیشر پر جو کہ حلقہ پارلیمنٹ کھورتھلہ - بھٹلدا - برنالہ
سے سردار حکم سنگھ صدر شوملی اکالی دل کے مقابلہ میں انتخاب لڑ رہے
ہیں - ان کے تین اور ساتھیوں سیٹھ دامودر سروپ - لالہ شنکر لال -
مسٹر پی - این - کول پر چھ کروڑ روپیہ خودبرد کرنے کے سلسلہ میں مقدمہ
چل رہا ہے -

The Parbhat in question is Annexure 'B' hereto and the relevant statement is marked "B-1".

III. Particulars in connection with paras No. 11 and 12 of the petition:—

1. The Spokesman, dated 5th December 1951, marked Annexure "C" hereto, contains the relevant statements marked as "C-1" and "C-2".
2. The Spokesman, dated 12th December 1951, Annexure D hereto, contains the relevant statements marked as "D-1", "D-2" and "D-3".
3. The Spokesman, dated 19th December 1951, marked Annexure "E" hereto, contains the relevant statement marked as "E-2".
4. The Spokesman, dated 3rd January 1952, marked Annexure "F" hereto, contains the relevant statements marked as F-1, F-2, F-3 and F-4.
5. The Spokesman, dated 9th January 1952, marked Annexure "G" hereto, contains the relevant statements marked as G-1, G-2, G-3 and G-4.
6. The Spokesman, dated 16th January, 1952, marked Annexure "H" hereto, contains the relevant statements marked as H-1, H-2, H-3, H-4, H-5, H-6, H-7, H-8, H-9 and H-10.
7. The Spokesman, dated 23rd January 1952, marked Annexure "A" hereto, contains the relevant statements marked as A-2, A-3, A-4 and A-5.
8. The Ajit, dated 1st December 1951, marked Annexure AA hereto, contains the relevant statements marked as AA-1, AA-2, AA-3, AA-4 and AA-5.
9. The Ajit, dated 4th December 1951, marked Annexure BB hereto, contains the relevant statements marked as BB-1, BB-2, BB-3, BB-4 and BB-5.
10. The Ajit, dated 5th December 1951, marked Annexure CC hereto, contains the relevant statements marked as CC-1 and CC-2.
11. The Ajit, dated 6th December 1951, marked Annexure DD hereto, contains the relevant statements marked as DD-1, DD-2 and DD-3.
12. The Ajit, dated 7th December 1951, marked Annexure EE hereto, contains the relevant statements marked as EE-1, EE-2, EE-3 and EE-4.
13. The Ajit, dated 9th December 1951, marked Annexure FF hereto, contains the relevant statements marked as FF-1, FF-2, FF-3, FF-4 and FF-5.
14. The Ajit, dated 14th December 1951, marked Annexure GG hereto, contains the relevant statements marked as GG-1, GG-2, GG-3, GG-4 and GG-5.
15. The Ajit, dated 15th December 1951, marked Annexure HH hereto, contains the relevant statements marked as HH-1 and HH-2.
16. The Ajit dated 16th December 1951, marked Annexure II hereto, contains the relevant statements marked as II-1, II-2 and II-3.
17. The Ajit, dated 17th December 1951, marked Annexure JJ hereto, contains the relevant statements marked as JJ-1, JJ-2 and JJ-3.
18. The Ajit, dated 18th December 1951, marked Annexure KK hereto, contains the relevant statement marked as KK-1.
19. The Ajit, dated 19th December 1951, marked Annexure LL hereto, contains the relevant statements marked as LL-1 and LL-2.
20. The Ajit dated 20th December 1951, marked Annexure MM hereto, contains the relevant statements marked as MM-1, MM-2 and MM-3.
21. The Ajit, dated 27th December 1951, marked Annexure NN hereto, contains the relevant statements marked as NN-1, NN-2, NN-3, NN-4 and NN-5.
22. The Ajit, dated 26th December 1951, marked Annexure OO hereto, contains the relevant statements marked as OO-1, OO-2, OO-3 and OO-4.
23. The Ajit, dated 28th December 1951, marked Annexure PP hereto, contains the relevant statements marked as PP-1 and PP-2.
24. The Ajit, dated 31st December 1951, marked Annexure QQ hereto, contains the relevant statements marked as QQ-1, QQ-2 and QQ-3.
25. The Ajit, dated 11th January 1952, marked Annexure RR hereto, contains the relevant statements marked as RR-1, RR-2 and RR-3.

26. The Ajit, dated 3rd January 1952, marked Annexure SS hereto, contains the relevant statements marked as SS-1, SS-2, SS-3, SS-4 and SS-5

27. The Ajit, dated 4th January 1952, marked Annexure TT hereto, contains the relevant statements marked as TT-1 and TT-2.

28. The Ajit, dated 6th January 1952, marked Annexure UU hereto, contains the relevant statements marked as UU-1 and UU-2.

29. The Ajit, dated 8th January 1952, marked Annexure VV hereto, contains the relevant statements marked as VV-1 and VV-2.

30. The Ajit, dated 10th January 1952, marked Annexure WW hereto, contains the relevant statement marked as WW-1.

31. The Ajit, dated 14th January 1952, marked Annexure XX hereto, contains the relevant statements marked as XX-1 and XX-2.

32. The Ajit, dated 17th January 1952, marked Annexure Y hereto, contains the relevant statement marked as Y-1

33. The Ajit, dated 18th January 1952, marked Annexure YY hereto, contains the relevant statement marked as YY-1.

34. The Ajit, dated 19th January 1952, marked Annexure Z hereto contains the relevant statement marked as Z-1.

35. The Ajit, dated 20th January 1952, marked Annexure ZZ hereto, contains the relevant statements marked as ZZ-1 and ZZ-2.

36. The Ajit, dated 30th January 1952, marked Annexure AB hereto, contains the relevant statement marked as AB-1.

37. The Ajit, dated 31st January 1952, marked Annexure AC hereto, contains the relevant statement marked as AC-1.

38. The Akali Patrika, dated 1st December 1951, marked Annexure AAA hereto, contains the relevant statements marked as AAA-1, AAA-2, AAA-3 and AAA-4.

39. The Akali Patrika, dated 2nd December 1951, marked Annexure BBB hereto, contains the relevant statements marked as BBB-1 and BBB-2.

40. The Akali Patrika, dated 3rd December 1951, marked Annexure CCC hereto, contains the relevant statements marked as CCC-1, CCC-2, CCC-3 and CCC-4.

41. The Akali Patrika, dated 4th December 1951, marked Annexure DDD hereto, contains the relevant statements marked as DDD-1, DDD-2 and DDD-3.

42. The Akali Patrika, dated 6th December 1951, marked Annexure EEE hereto, contains the relevant statements marked as EEE-1, EEE-2, EEE-3 and EEE-4.

43. The Akali Patrika, dated 7th December 1951, marked Annexure FFF hereto, contains the relevant statement marked as FFF-1.

44. The Akali Patrika, dated 8th December 1951, marked Annexure GGG hereto, contains the relevant statement marked as GGG-1.

45. The Akali Patrika, dated 9th December 1951, marked Annexure HHH hereto, contains the relevant statements marked as HHH-1, HHH-2 and HHH-3.

46. The Akali Patrika, dated 10th December 1951, marked Annexure III hereto, contains the relevant statements marked as III-1, III-2, III-3 and III-4.

47. The Akali Patrika, dated 11th December 1951, marked Annexure JJJ hereto, contains the relevant statement marked as JJJ-1.

48. The Akali Patrika, dated 12th December 1951, marked Annexure KKK hereto, contains the relevant statements marked as KKK-1, KKK-2 and KKK-3.

49. The Akali Patrika, dated 13th December 1951, marked Annexure LLL hereto, contains the relevant statements marked as LLL-1, LLL-2 and LLL-3.

50. The Akali Patrika, dated 14th December 1951, marked Annexure MMM hereto, contains the relevant statements marked as MMM-1 and MMM-2.

51. The Akali Patrika, dated 15th December 1951, marked Annexure NNN hereto, contains the relevant statements marked as NNN-1, NNN-2 and NNN-3.

52. The Akali Patrika, dated 16th December 1951, marked Annexure OOO hereto, contains the relevant statements marked as OOO-1, OOO-2, OOO-3, OOO-4 and OOO-5.

53. The Akali Patrika, dated 17th December 1951, marked Annexure PPP hereto, contains the relevant statement marked as PPP-1.

54. The Akali Patrika, dated 18th December 1951, marked Annexure QQQ hereto, contains the relevant statements marked as QQQ-1, QQQ-2, QQQ-3, QQQ-4, QQQ-5 and QQQ-6.

55. The Akali Patrika, dated 19th December 1951, marked Annexure RRR hereto, contains the relevant statements marked as RRR-1 and RRR-2.

56. The Akali Patrika, dated 20th December 1951, marked Annexure SSS hereto, contains the relevant statement marked as SSS-1.

57. The Akali Patrika, dated 21st December 1951, marked Annexure TTT hereto, contains the relevant statements marked as TTT-1, TTT-2, TTT-3, TTT-4, TTT-5, TTT-6 and TTT-7.

58. The Akali Patrika, dated 24th December 1951, marked Annexure UUU hereto, contains the relevant statement marked as UUU-1.

59. The Akali Patrika, dated 22nd December 1951, marked Annexure VVV hereto, contains the relevant statements marked as VVV-1, VVV-2, VVV-3, and VVV-4.

60. The Akali Patrika, dated 25th December 1951, marked Annexure YYY hereto, contains the relevant statements marked as YYY-1, YYY-2, YYY-3, YYY-4, YYY-5 and YYY-6.

61. The Akali Patrika, dated 26th December 1951, marked Annexure XXX hereto, contains the relevant statements marked as XXX-1, XXX-2 and XXX-3.

62. The Akali Patrika, dated 27th December 1951, marked Annexure ZZZ hereto, contains the relevant statements marked as ZZZ-1, ZZZ-2, ZZZ-3 and ZZZ-4.

63. The Akali Patrika, dated 1st January 1952, marked Annexure AAAA hereto, contains the relevant statements marked as AAAA-1 and AAAA-2.

64. The Akali Patrika, dated 3rd January 1952, marked Annexure BBBB hereto, contains the relevant statements marked as BBBB-1, BBBB-2, BBBB-3, BBBB-4 and BBBB-5.

65. The Akali Patrika, dated 4th January 1952, marked Annexure CCCC hereto, contains the relevant statements marked as CCCC-1, CCCC-2, CCCC-3, CCCC-4 and CCCC-5.

66. The Akali Patrika, dated 6th January 1952, marked Annexure DDDD hereto, contains the relevant statements marked as DDDD-1, DDDD-2, and DDDD-3.

67. The Akali Patrika, dated 7th January 1952, marked Annexure EEEE hereto, contains the relevant statements marked as EEEE-1, EEEE-2, EEEE-3, EEEE-4, EEEE-5 and EEEE-6.

68. The Akali Patrika, dated 8th January 1952, marked Annexure FFFF hereto, contains the relevant statements marked as FFFF-1 and FFFF-2.

69. The Akali Patrika, dated 9th January 1952, marked Annexure GGGG hereto, contains the relevant statements marked as GGGG-1, GGGG-2, GGGG-3 and GGGG-4.

70. The Akali Patrika, dated 10th January 1952, marked Annexure HHHH hereto, contains the relevant statements marked as HHHH-1, HHHH-2, and HHHH-3.

71. The Akali Patrika, dated 11th January 1952, marked Annexure IIII hereto, contains the relevant statements marked as IIII-1 and IIII-2.

72. The Akali Patrika, dated 12th January 1952, marked Annexure JJJJ hereto, contains the relevant statements marked as JJJJ-1, JJJJ-2, JJJJ-3, JJJJ-4, JJJJ-5 and JJJJ-6.

73. The Akali Patrika, dated 13th January 1952, marked Annexure KKKK hereto, contains the relevant statements marked as KKKK-1, KKKK-2, KKKK-3 and KKKK-4.

74. The Akali Patrika, dated 15th January 1952, marked Annexure LLLL hereto, contains the relevant statements marked as LLLL-1 and LLLL-2.

75. The Akali Patrika, dated 17th January 1952, marked Annexure MMMM hereto, contains the relevant statements marked as MMMM-1, MMMM-2, MMMM-3 and MMMM-4.

76. The Akali Patrika, dated 18th January 1952, marked Annexure NNNN hereto, contains the relevant statements marked as NNNN-1, NNNN-2 and NNNN-3.

77. The Akali Patrika, dated 19th January 1952, marked Annexure OOOO hereto, contains the relevant statements marked as OOOO-1, OOOO-2 and OOOO-3.

78. The Akali Patrika, dated 20th January 1952, marked Annexure PPPP hereto, contains the relevant statement marked as PPPP-1.

79. The Akali Patrika, dated 22nd January 1952, marked Annexure QQQQ hereto, contains the relevant statements marked as QQQQ-1 and QQQQ-2.

80. The Akali Patrika, dated 23rd January 1952, marked Annexure RRRR hereto, contains the relevant statement marked as RRRR-1.

81. The Akali Patrika, dated 24th January 1952, marked Annexure SSSS hereto, contains the relevant statement marked as SSSS-1.

82. The Parbhat, dated 23rd January 1952, marked Annexure B hereto, contains the relevant statements marked as B-2, B-3, B-4, B-5 and B-6.

83. The Parbhat, dated 1st December 1951, marked Annexure A×A hereto, contains the relevant statements marked as A×A-1, A×A-2, A×A-3.

84. The Parbhat, dated 3rd December 1951, marked Annexure A×B hereto, contains the relevant statements marked as A×B-1, A×B-2.

85. The Parbhat, dated 5th December 1951, marked Annexure A×C hereto, contains the relevant statement marked as A×C-1.

86. The Parbhat, dated 7th December 1951, marked Annexure A×D hereto, contains the relevant statement marked as A×D-1.

87. The Parbhat, dated 9th December 1951, marked Annexure A×E hereto, contains the relevant statement marked as A×E-1.

88. The Parbhat, dated 15th December 1951, marked Annexure A×F hereto, contains the relevant statement marked as A×F-1.

89. The Parbhat, dated 17th December 1951, marked Annexure A×G hereto, contains the relevant statements marked as A×G-1 and A×G-2.

90. The Parbhat, dated 18th December 1951, marked Annexure A×H hereto, contains the relevant statements marked as A×H-1, A×H-2 and A×H-3.

91. The Parbhat, dated 21st December 1951, marked Annexure A×I hereto, contains the relevant statements marked as A×I-1 and A×I-2.

92. The Parbhat, dated 23rd December 1951, marked Annexure A×J hereto, contains the relevant statements marked as A×J-1 and A×J-2.

93. The Parbhat, dated 26th December 1951, marked Annexure A×K hereto, contains the relevant statements marked as A×K-1, A×K-2 and A×K-3.

94. The Parbhat, dated 29th December 1951, marked Annexure A×L hereto, contains the relevant statement marked as A×L-1.

95. The Parbhat, dated 30th December 1951, marked Annexure A×M hereto, contains the relevant statement marked as A×M-1 and A×M-2.

96. The Parbhat, dated 1st January 1952, marked Annexure A×N hereto, contains the relevant statements marked as A×N-1, A×N-2 and A×N-3.

97. The Parbhat, dated 4th January 1952, marked Annexure A×O hereto, contains the relevant statements marked as A×O-1, A×O-2, A×O-3 and A×O-4.

98. The Parbhat, dated 6th January 1952, marked Annexure A×P hereto, contains the relevant statements marked as A×P-1, A×P-2 and A×P-3.

99. The Parbhat, dated 7th January 1952, marked Annexure A×Q hereto, contains the relevant statements marked as A×Q-1, A×Q-2 and A×Q-3.

100. The Parbhat, dated 8th January 1952, marked Annexure A×R hereto, contains the relevant statements marked as A×R-1, A×R-2, A×R-3 and A×R-4.

101. The Parbhat, dated 9th January 1952, marked Annexure A×S hereto, contains the relevant statements marked as A×S-1, A×S-2, A×S-3 and A×S-4.

102. The Parbhat, dated 10th January 1952, marked Annexure A×T hereto, contains the relevant statements marked as A×T-1 and A×T-2.

103. The Parbhat, dated 11th January 1952, marked Annexure A×X hereto, contains the relevant statements marked as A×X-1, A×X-2, A×X-3 and A×X-4.

104. The Parbhat, dated 17th January 1952, marked Annexure A×Y hereto, contains the relevant statements marked as A×Y-1 and A×Y-2.

105. The Parbhat, dated 19th January 1952, marked Annexure A×Z hereto, contains the relevant statements marked as AA×A-1, AA×A-2, AA×A-3 and AA×A-4.

106. The Parbhat, dated 20th January 1952, marked Annexure AA×A hereto, contains the relevant statements marked as AA×A-1, AA×A-2, AA×A-3 and AA×A-4.

107. The Parbhat, dated 21st January 1952, marked Annexure AA×B hereto, contains the relevant statements marked as AA×B-1 and AA×B-2.

108. The Parbhat, dated 22nd January 1952, marked Annexure AA×C hereto, contains the relevant statements marked as AA×C-1, AA×C-2 and AA×C-3.

109. The Parbhat, dated 23rd January 1952, marked Annexure AA×D hereto, contains the relevant statements marked as AA×D-1, AA×D-2, AA×D-3, AA×D-4 and AA×D-5.

(Sd.) SARDUL SINGH CAVEESHAR, *Petitioner.*
through

(Sd.) GYAN SINGH VOHRA, *Advocate.*

VERIFICATION

I, Sardul Singh Caveeshar, do hereby verify that the contents of this list are true to the best of my knowledge and belief.

Verified at Delhi this 10th day of May, 1952.

(Sd.) SARDUL SINGH CAVEESHAR.

NOTE:—Treasury receipt of Rs. 1,000 is attached.

(Sd.) GYAN SINGH VOHRA, *Advocate.*

P. S. SUBRAMANIAN,
for Chief Election Commissioner.

